

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____

v. : **DATE FILED:** _____

CHARLES LAMONT TOLER : **VIOLATIONS:**
: 21 U.S.C. § 841(a)(1) (possession with
: intent to distribute 500 grams or more of
: cocaine - 1 count)
: 21 U.S.C. § 860(a) (possession with intent
: to distribute 500 grams or more of
: cocaine within 1,000 feet of a school -
: 1 count)
: 18 U.S.C. § 924(c) (possession of a firearm
: in furtherance of a drug trafficking crime
: - 1 count)
: 18 U.S.C. § 922(g)(1) (convicted felon in
: possession of a firearm - 1 count)
: Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about January 30, 2009, in Parkside, in the Eastern District of Pennsylvania, defendant

CHARLES LAMONT TOLER

knowingly and intentionally possessed with intent distribute 500 grams or more, that is, approximately 835.2 grams, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 30, 2009, in Parkside, in the Eastern District of Pennsylvania, defendant

CHARLES LAMONT TOLER

knowingly and intentionally possessed with intent distribute 500 grams or more, that is, approximately 835.2 grams, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, within 1,000 feet of the real property comprising the Parkside Elementary School, a public elementary school, located at 2 East Forestview Avenue, Parkside, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 30, 2009, in Parkside, in the Eastern District of Pennsylvania, defendant

CHARLES LAMONT TOLER

knowingly possessed a firearm , that is, a Smith & Wesson, .40 caliber semi-automatic pistol, serial number MPB3015, loaded with three live rounds of ammunition, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 30, 2009, in Parkside, in the Eastern District of Pennsylvania, defendant

CHARLES LAMONT TOLER,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Smith & Wesson, .40 caliber semi-automatic pistol, serial number MPB3015, loaded with three live rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(c) and 922(g)(1), set forth in this indictment, defendant

CHARLES LAMONT TOLER

shall forfeit to the United States of America the firearms and ammunition involved in the commission of such offenses, including, but not limited to:

1. One Smith & Wesson, .40 caliber semi-automatic pistol, serial number MPB3015, and
2. three live rounds of ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

MICHAEL L. LEVY
United States Attorney